



State of Ohio Environmental Protection Agency

Northwest District Office

347 North Dunbridge Road
Bowling Green, OH 43402-9398

TELE: (419) 352-8461 FAX: (419) 352-8469
www.epa.state.oh.us

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Richland County
OmniSource Corporation
1500 Old Bowman St.
Mansfield, OH 44903
Premise # 03.70.01.0201
Notice of Violation

May 8, 2008

CERTIFIED MAIL

Mr. James Cross, General Manager
OmniSource Corporation
1500 Old Bowman Street
Mansfield, Ohio 44903

Dear Mr. Cross:

This letter shall serve as follow-up to observations conducted on April 30, 2008, and May 6, 2008, of the above-referenced facility by this writer. The observations were conducted as part of an ongoing investigation regarding complaints and concerns stemming from nuisance dust along Old Bowman Street Rd., in Mansfield, Ohio.

Based on my discussions, my observations during the inspection, and a review of the company's files, my findings are as follows:

1. On April 30, 2008, Mr. Mohammad Smidi and I visited the area and found that the conditions of the roadways in front of OmniSource Corp. (Omni) had greatly improved since our last observation. It appeared that the roadways were being watered and swept, as the company had committed to in previous compliance plans. The only issue observed at that time was that a gate crossing the north portion of the newly paved roadway on the property was closed. This gate being closed requires truck traffic to divert from the paved roadway and travel an unpaved roadway that is not maintained, causing additional dirt drag-out onto Old Bowman Street. Omni later stated that there was a malfunction with the gate and the issue was being resolved.
2. On May 6, 2008, Mr. Brian Riedmaier and I visited the area and found that fugitive dust control measures being employed on the roadways in front of Omni Were not sufficient to comply with applicable requirements. The roadway directly in front of the facility was swept once during the observation, however, water was not applied during the sweep.

Also, the gate crossing the north portion of the newly paved roadway on the property remained closed. Dirt and earth from the facility was found to be drug onto the roadway and carried approximately 0.6 miles from the facility.

US EPA Method 22 observations were conducted on Old Bowman Street Rd., north of the facility. The accumulated emissions time of five minutes and fourteen seconds was recorded over a forty five minute time period. As stated in previous correspondence between Omni and Ohio EPA, Ohio Permit-to-install 03-17387 is currently being administratively modified to reflect best available technology standards which state that there shall be no visible particulate emissions from any paved roadway or parking area except for a period of time not to exceed one minute during any sixty minute observation period. The results of the observation conducted on May 6, 2008 are a violation of Ohio Administrative Code (OAC) rule 3745-31-05(A)(3).

3. The facility is in violation of OAC rule 3745-17-08(B)(9) for failing to promptly remove, in such a manner as to minimize or prevent resuspension, of earth or other material from paved streets onto which earth or other material has been deposited by its activities.
4. Because of the above exceedance and the observed condition of the roadways adjacent to the facility, Ohio EPA believes Omni is not employing reasonably available control measures and is causing a public nuisance, which is a violation of OAC rule 3745-15-07(A).

The facility has 21 days from the date of this letter to respond in writing to Ohio EPA with a compliance plan to remedy the observed situation and prevent this, or any similar such situation, from occurring in the future. If the company has any questions and/or comments concerning this letter, please contact me at the above address or call (419) 373-3137.

Sincerely,



Thomas C. Cikotte
Division of Air Pollution Control

/llr

pc: Lisa Holscher, US EPA Region 5
Tom Kalman, DAPC/CO
Don Waltermeyer, DAPC/NWDO
Mohammad Smidi, DAPC/NWDO
Thomas C. Cikotte, DAPC/DAPC

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*MR. JAMES CROSS, GENERAL MANAGER
 OMISSOURCE CORPORATION
 1500 OLD BOWMAN STREET
 MADSFIELD, OHIO 44903*

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